

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 12, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Gabriel Joseph Andrew

Case Number: 0980 2:18CR00181-SAB-1

Address of Offender:

Airway Heights, Washington 99001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley Bastian, Chief U.S. District Judge

Date of Original Sentence: May 13, 2019

Original Offense: Domestic Assault By a Habitual Defender Resulting in Substantial Bodily Injury, 18 U.S.C. § 117

Original Sentence: Prison - 41 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Daniel Hugo Fruchter

Date Supervision Commenced: December 17, 2021

Defense Attorney: Lorinda Meier Youngcourt

Date Supervision Expires: December 16, 2024

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 02/18/2022 and 03/08/2022.

On December 17, 2021, Mr. Andrew reviewed the judgment for case number 2:18CR00181-RHW-1, which outlines the supervised release conditions. He was provided a copy and signed his signature acknowledging an understanding of his obligations to the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

8

Standard Condition # 2: After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when to report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: It is alleged that Mr. Andrew violated his supervised release by failing to report to his U.S. probation officer as instructed on May 9, 2022.

On May 3, 2022, Mr. Andrew appeared before U.S. Magistrate Judge James A. Goeke, for the purpose of an unopposed motion for his release to the community, following his successful completion of substance abuse inpatient treatment. It was at that time Mr. Andrew's release to the community was granted under previously ordered conditions of supervised release and he was directed to report to the U.S. Probation Office on May 9, 2022.

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On May 6, 2022, the undersigned spoke with Mr. Andrew via telephone to remind him to report to the U.S. Probation Office on May 9, 2022, and he was also provided a text message with this information. On May 9, 2022, Mr. Andrew failed to report to the U.S. Probation Office as directed nor did he contact the undersigned in any manner. The undersigned's subsequent attempts to contact Mr. Andrew have gone without success as of this writing and it appears he is evading supervision.

- 9 **Standard Condition # 5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: It is alleged that Mr. Andrew violated the terms of his supervised release by failing to notify his U.S. probation officer of his change in living arrangements.

On May 5, 2022, Mr. Andrew successfully completed inpatient treatment and subsequently moved into a Pura Vida residence which provides structure for individuals in recovery. On May 11, 2022, the undersigned last spoke with the director of the Pura Vida residence, at which time it was reported that Mr. Andrew has not been present at his Pura Vida residence since on or about May 7, 2022. Additionally, he has not communicated his whereabouts to Pura Vida staff. Given this information, the Pura Vida director informed the undersigned that Mr. Andrew's spot is now forfeited. Mr. Andrew failed to report to the undersigned on May 9, 2022, and he has failed to communicate his current living arrangements, as he appears to be evading supervision.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 12, 2022

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/12/2022

Date